



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FISCHER *et al.*

Appl. No.: 10/629,699

Filed: July 30, 2003

For: **Valve Pin Guidance and Alignment
System for an Injection Molding
Apparatus**

Confirmation No.: 5350

Art Unit: 1722

Examiner: *To be assigned*

Atty. Docket: 2107.1680001/TUM/RLP

Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO/SB/08a are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO/SB/08a based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- ☐ 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- ☒ 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- ☐ 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.

- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
- ☐ 4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- ☐ a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign

application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

☐ b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).

- ☒ 5. Documents BA2, BD2, BG2, BA3, BB3 and BK3 were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- ☒ 6. A concise explanation of the relevance of the non-English language documents BA2, BC2, BD2, BG2, BI2-BL2 and BA3-BI3 can be found in the English language Abstract attached thereto. A concise explanation of the relevance of the non-English language document BB2 can be found in the English language translation of the claims attached thereto. The relevance of non-English language document CB3 can be found in the Figures, which illustrate valve pin alignment.
- ☒ 7. Copies of the documents BA2-BL2, BA3-BM3 and CA3-CC3 are submitted herewith.

- ☐ 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).
- ☒ 9. No copies of U.S. patents and patent application publications cited on the attached Form PTO/SB/08a are submitted in accordance with 1276 OG 55 because this application was filed after June 30, 2003.
- ☐ 10. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). _____ in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO/SB/08a, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

A handwritten signature in black ink, reading "Rae Lynn P. Guest". The signature is written in a cursive, flowing style.

Rae Lynn P. Guest
Attorney for Applicants
Registration No. 53,482

Date: July 8, 2004

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PTO/E
JUL 08 2004
PATENT & TRADEMARK

Substitute for form 1039A/PTO		Complete If Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Application Number	10/629,699
		Filing Date	July 30, 2003
		First Named Inventor	Fischer <i>et al.</i>
		Art Unit	1722
		Examiner Name	To Be Assigned
		Attorney Docket Number	2107.1680001/TUM
Sheet	1	of	3

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA1	US-2,865,050	12-23-1958	Strauss	
	AB1	US-3,488,810	01-13-1970	Gellert	
	AC1	US-3,716,318	02-13-1973	Erik <i>et al.</i>	
	AD1	US-3,741,704	06-26-1973	Beasley	
	AE1	US-3,952,927	04-27-1976	Schaumburg <i>et al.</i>	
	AF1	US-4,004,871	01-25-1977	Hardy	
	AG1	US-4,013,393	03-22-1977	Gellert	
	AH1	US-4,043,740	08-23-1977	Gellert	
	AI1	US-4,306,852	12-22-1981	Mateev <i>et al.</i>	
	AJ1	US-4,652,230	03-24-1987	Osuna-Diaz	
	AK1	US-4,771,164	09-13-1988	Gellert	
	AL1	US-4,781,572	11-01-1988	Boring	
	AM1	US-4,911,636	03-27-1990	Gellert	
	AN1	US-4,945,630	08-07-1990	Gellert	
	AO1	US-5,053,271	10-01-1991	Mori <i>et al.</i>	
	AP1	US-5,299,928	04-05-1994	Gellert	
	AQ1	US-5,334,008	08-02-1994	Gellert	
	AR1	US-5,421,716	06-06-1995	Gellert	
	AS1	US-5,505,613	04-09-1996	Krummenacher	
	AT1	US-5,545,028	08-13-1996	Hume <i>et al.</i>	
	AU1	US-5,695,793	12-09-1997	Bauer	
	AV1	US-5,700,499	12-23-1997	Bauer	
	AW1	US-5,811,140	09-22-1998	Manner	
	AX1	US-5,834,041	11-10-1998	Sekine <i>et al.</i>	
	AY1	US-5,849,343	12-15-1998	Gellert <i>et al.</i>	
	AZ1	US-5,895,669	04-20-1999	Seres, Jr. <i>et al.</i>	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/629,699
				Filing Date	July 30, 2003
				First Named Inventor	Fischer <i>et al.</i>
				Art Unit	1722
				Examiner Name	To Be Assigned
Sheet	2	of	3	Attorney Docket Number	2107.1680001/TUM

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (If Known)			
	AA2	US-6,030,202	02-29-2000	Gellert <i>et al.</i>	
	AB2	US-6,050,806	04-18-2000	Ko	
	AC2	US-6,089,468	07-18-2000	Bouti	
	AD2	US-6,273,706	08-14-2001	Gunther	
	AE2	US-6,309,208 B1	10-30-2001	Kazmer <i>et al.</i>	
	AF2	US-6,358,038 B1	03-19-2002	Rozenberg	
	AG2	US-6,358,039	03-19-2002	Manner <i>et al.</i>	
	AH2	US-6,419,116 B1	07-16-2002	Eigler <i>et al.</i>	
	AI2	US 2003/0008034	01-09-2003	Niewels	
	AJ2	US 2003/0170340	09-11-2003	Sicilia <i>et al.</i>	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ⁴ Kind Code ⁵ (in known)				
	BA2	DE 3245571 A1	06-20-1984	Manner		
	BB2	DE 29602484	09-05-1996	Manner		
	BC2	DE 19608676	01-30-1997	Harald		
	BD2	EP 0638407	02-15-1995	Krummenacher		
	BE2	EP 0750975	01-02-1997	Bauer		
	BF2	EP 0873841	10-28-1998	Gellert		
	BG2	EP 0962296 A2	08-12-1999	Guenther		
	BH2	EP 1188537 A2	03-20-2002	Enrietti		
	BI2	FR 2537497	06-15-1984	Manner		
	BJ2	JP 05-177664	07-20-1993	Takeda		
	BK2	JP 05-261770	03-23-1992	Suzuki		
	BL2	JP 05-309695	11-22-1993	Koyama		

Examiner Signature		Date Considered	
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³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete If Known	
				Application Number	10/629,699
				Filing Date	July 30, 2003
				First Named Inventor	Fischer <i>et al.</i>
				Art Unit	1722
				Examiner Name	To Be Assigned
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FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Country Code ⁴ Kind Code ⁵ (in known)				
	BA3	JP 7-148786	06-13-1995	Konase		
	BB3	JP 8-90598	04-19-1996	Ishibashi <i>et al.</i>		
	BC3	JP 10-264222	10-06-1998	Konishi		
	BD3	JP 11-254488	09-21-1999	Yamamoto		
	BE3	JP 2002-307492	10-23-2002	Takeda		
	BF3	JP 2003-11173	01-15-2003	Takahashi		
	BG3	JP 2003-11174	01-15-2003	Takahashi		
	BH3	JP 2003-11176	01-15-2003	Murayama		
	BI3	WO 84/00922	03-15-1984	Oka		
	BJ3	WO 01/78961	10-25-2001	Babin <i>et al.</i>		
	BK3	WO 03/04243	01-16-2003	Niewels		
	BL3	WO 03/70446	08-28-2003	Babin		
	BM3	WO 2004/12923	02-12-2004	Fisher		

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published	T ²
	CA3	PCT Search Report for PCT/CA03/01154 dated 12/03/2004	
	CB3	H.P. Manner, "Nadelverschlußdusen für kurze Zykluszeit," Kunststoffe 85(2): 166-168(1995)	
	CC3	Images and information from "Gunther Hot Runner Technology," taken from Gunther website August 2003.	

Examiner Signature		Date Considered	
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